

**LEGISLATIVE SERVICES AGENCY  
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**FISCAL IMPACT STATEMENT**

**LS 6641**

**BILL NUMBER:** HB 1975

**NOTE PREPARED:** Dec 11, 2002

**BILL AMENDED:**

**SUBJECT:** State Liability for Vehicle-Deer Collisions.

**FIRST AUTHOR:** Rep. Friend

**FIRST SPONSOR:**

**BILL STATUS:** As Introduced

**FUNDS AFFECTED:** X GENERAL  
DEDICATED  
FEDERAL

**IMPACT:** State

**Summary of Legislation:** This bill provides that the state is strictly liable for actual damage to a vehicle and medical expenses caused by the collision of a deer and a vehicle on a highway.

**Effective Date:** July 1, 2003.

**Explanation of State Expenditures:** This bill could increase claims against the state. Based on data from the Indiana State Police and the Department of Natural Resources, there are approximately 10,800 deer-vehicle collisions in Indiana each year. The Michigan Deer Crash Coalition reports that the average deer-vehicle collision causes approximately \$1,940 in damages. Based on these estimates, the state would be liable for approximately \$21.0 M in vehicular damages each year under this bill.

The bill also makes the state liable for medical expenses caused by vehicle-deer collisions. Data from Michigan suggest that approximately 3.16 % of deer-vehicle collisions result in an injury or death. Based on this estimate, there are 342 vehicle-deer collisions in Indiana in which the state would be liable for actual medical expenses. The liability to the state resulting from these medical expenses is unknown and would depend on the severity of a specific incident.

By statute, damage awards from the state cannot exceed \$300,000 for the injury to, or death of, one person in any one occurrence and \$5 million for the injury to, or death of, all persons in that occurrence. The state is not liable for the punitive damages.

**Explanation of State Revenues:**

**Explanation of Local Expenditures:**

**Explanation of Local Revenues:**

**State Agencies Affected:** Office of the Attorney General.

**Local Agencies Affected:** Trial Courts.

**Information Sources:** Indiana Department of Natural Resources; Michigan Deer Crash Coalition.

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